

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

A Bill

HOUSE BILL 1652

5 By: Representatives Ratliff, Baltz
6 By: Senator B. Pierce
7

For An Act To Be Entitled

9 AN ACT TO AMEND PROVISIONS OF THE ARKANSAS CODE
10 CONCERNING THE TEACHER EXCELLENCE AND SUPPORT SYSTEM;
11 AND FOR OTHER PURPOSES.
12
13

Subtitle

15 TO AMEND PROVISIONS OF THE ARKANSAS CODE
16 CONCERNING THE TEACHER EXCELLENCE AND
17 SUPPORT SYSTEM.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code § 6-13-1305(10), concerning school district
23 policy, is amended to read as follows:

24 (10) Teacher evaluations, professional ~~learning~~ growth plans, and
25 teacher support under the Teacher Excellence and Support System, § 6-17-2801
26 et seq.
27

28 SECTION 2. Arkansas Code § 6-15-202(f)(49) and (50), concerning the
29 statement of assurances of public school superintendents, are amended to add
30 an additional subdivision to read as follows:

31 (49) Section 6-42-101 concerning gifted and talented children;
32 ~~and~~

33 (50) Section 6-17-2803(5) and rules promulgated by the state
34 board concerning the required training and credentialing of evaluators under
35 the Teacher Excellence and Support System, § 6-17-2801 et seq.; and

36 (51) Any other statutory mandate for school districts identified



1 by the department as relevant to the Standards for Accreditation of Arkansas
 2 Public Schools and School Districts.

3
 4 SECTION 3. Arkansas Code § 6-15-1004(c)(1)(A), concerning the
 5 requirement for a highly qualified teacher to obtain professional
 6 development, is amended to read as follows:

7 (A) Based on the teacher’s evaluation and professional
 8 ~~learning growth~~ plan under the Teacher Excellence and Support System, § 6-17-
 9 2801 et seq.;

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 11 SECTION 4. Arkansas Code § 6-17-705(c)(2), concerning professional
 12 development credit earned during planning time at the beginning of a school
 13 year, is amended to read as follows:

14 (2) Teacher’s professional ~~learning growth~~ plan under the Teacher
 15 Excellence and Support System, § 6-17-2801 et seq.

16
 17 SECTION 5. Arkansas Code § 6-17-2803(7)(B)(i), concerning the
 18 definition of "formal classroom observation", is amended to read as follows:

19 (B)(i) Is conducted by an evaluator for at least seventy-
 20 five percent (75%) of the class period either by observing the teacher ~~in:~~

21 (a) In the classroom ~~or through~~;

22 (b) Through the use of three-hundred-sixty-
 23 degree video technology; or

24 (c) For a teacher in a digital learning
 25 environment, through the use of other appropriate technology.

26
 27 SECTION 6. Arkansas Code § 6-17-2803, concerning definitions for the
 28 Teacher Excellence and Support System, is amended to add additional
 29 subdivisions to read as follows:

30 (21) “Professional development plan” means the professional
 31 development plan under § 6-17-704 that encompasses all professional
 32 development required by rule, under law, and by a school district, public
 33 school, or education service cooperative for a teacher; and

34 (22) “Professional growth plan” means the component of a
 35 professional development plan that is designed to meet the specific growth
 36 needs of a teacher identified under the Teacher Excellence and Support

1 System, § 6-17-2801 et seq.

2
3 SECTION 7. Arkansas Code § 6-17-2805(d), concerning summative
4 evaluations, is repealed.

5 ~~(d)(1) In a tested content area, among the artifacts considered by the~~
6 ~~teacher and evaluator shall be external assessment measures chosen by the~~
7 ~~teacher and evaluator or by the evaluator if the teacher and evaluator are~~
8 ~~unable to agree.~~

9 ~~(2)(A) Except as provided in subdivision (d)(2)(B) of this~~
10 ~~section, in a nontested content area, among the artifacts considered by the~~
11 ~~teacher and evaluator, or by the evaluator if the teacher and evaluator~~
12 ~~cannot agree, shall be external assessments.~~

13 ~~(B)(i) If an external assessment measurement does not exist~~
14 ~~for the nontested content area, the Department of Education shall by rule~~
15 ~~determine the type of artifact that may be used otherwise to satisfy the~~
16 ~~external assessment measurement requirement under subdivision (d)(2)(A) of~~
17 ~~this section.~~

18 ~~(ii) In a tested content area, the teacher and~~
19 ~~evaluator shall choose the summary growth statistic associated with the~~
20 ~~state-mandated assessment for the tested content area as one (1) of the~~
21 ~~external assessment measures to satisfy the requirements under subdivision~~
22 ~~(d)(1) of this section.~~

23 ~~(iii) In tested and nontested content areas, the~~
24 ~~department may authorize school districts to create external assessment~~
25 ~~measures to include without limitation formative assessments.~~

26 ~~(iv) If an external assessment measure does not exist~~
27 ~~for the nontested content area and a school district does not create an~~
28 ~~external assessment measure for the nontested content area, the department~~
29 ~~may prescribe a state-mandated assessment to satisfy the requirements of~~
30 ~~subdivision (d)(2) of this section.~~

31
32 SECTION 8. Arkansas Code § 6-17-2805(e)(2), concerning what a
33 summative evaluation shall include, is amended to read as follows:

34 (2) A formal classroom observation and may also include an
35 informal classroom observation;

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1 SECTION 9. Arkansas Code § 6-17-2806(a), concerning teacher support
2 components of the Teacher Excellence and Support System, is amended to read
3 as follows:

4 (a)(1) Except as provided in subdivision (a)(3) of this section, a
5 teacher being evaluated and the evaluator, working together, shall develop a
6 professional ~~learning growth~~ plan for the teacher that:

7 (A) Identifies professional ~~learning growth~~ outcomes to
8 advance the teacher's professional skills; and

9 (B) Clearly links professional development activities and
10 the teacher's individual professional ~~learning growth~~ needs identified
11 through the Teacher Excellence and Support System, § 6-17-2801 et seq.

12 (2) The professional ~~learning growth~~ plan shall require that at
13 least one-half (1/2) of the professional development hours required by law or
14 rule for a teacher licensure are directly related to one (1) or more of:

15 (A) The teacher's content area;

16 (B) Instructional strategies applicable to the teacher's
17 content area; or

18 (C) The teacher's identified needs.

19 (3) If the teacher and the evaluator cannot agree on a
20 professional ~~learning growth~~ plan, the evaluator's decision shall be final.

21 (4)(A) For a teacher in intensive support status, the evaluator
22 or an administrator designated by the evaluator shall have final approval of
23 the teacher's professional ~~learning growth~~ plan.

24 (B) Until the teacher is removed from intensive support
25 status, the teacher's professional growth plan shall require that all
26 professional development-identified in the professional learning plan
27 required for licensure, except professional development that is required by
28 law ~~or by the public school where the teacher is employed~~ shall be directly
29 related to the individual teacher's needs.

30
31 SECTION 10. Arkansas Code § 6-17-2807(d)(1)(A), concerning intensive
32 support status under the Teacher Excellence and Support System, is amended to
33 read as follows:

34 (A) The professional ~~learning growth~~ plan; and

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36 SECTION 11. Arkansas Code § 6-17-2808(b)(2), concerning implementation

1 of the Teacher Excellence and Support System, is amended to read as follows:

2 (2)(A) At least one (1) time every ~~three (3)~~ four (4) school
 3 years, a public school shall conduct a summative evaluation for a teacher who
 4 is not in a status under subdivision (b)(1) of this section.

5 (B) In a school year in which a summative evaluation is not
 6 required for a teacher under this subdivision (b)(2), the teacher:

7 (i) Shall focus on elements of the teacher's
 8 professional ~~learning growth~~ plan as approved by the evaluator that are
 9 designed to help the teacher improve his or her teaching practices; and

10 (ii) With the evaluator's approval may:

11 (a) Collaborate with a team of teachers on a
 12 shared plan that benefits the whole school, a content area, or a grade level;
 13 or

14 (b) Conduct self-directed research related to
 15 the teacher's professional ~~learning growth~~ plan under § 6-17-2806.

16
 17 SECTION 12. Arkansas Code § 6-17-2808(b)(2)(C), concerning
 18 implementation of the Teacher Excellence and Support System, is amended to
 19 add additional subdivisions to read as follows:

20 (3) Annually, a public school shall assign each teacher employed
 21 by the school an annual overall rating that is based on:

22 (A) The teacher's professional practice, as evidenced by
 23 the performance rating for a summative evaluation or for an interim
 24 appraisal; and

25 (B) Student growth, as determined by rules promulgated by
 26 the State Board of Education.

27 (4)(A) A teacher shall submit artifacts agreed upon by the
 28 teacher and evaluator or by the evaluator if the teacher and evaluator cannot
 29 agree, as evidence of professional practice in determining the performance
 30 rating for a summative evaluation for or for an interim appraisal.

31 (B) External assessment measures may be among the
 32 artifacts submitted.

33
 34 SECTION 13. Arkansas Code § 6-17-2808(c)(1)(B), concerning
 35 implementation of the Teacher Excellence and Support System, is amended to
 36 read as follows:

1 (B)(i) Collaborate in good faith with the evaluator to
2 develop the teacher's professional ~~learning~~ growth plan under § 6-17-2806(a).

3 (ii) If a teacher and evaluator cannot agree on the
4 professional ~~learning~~ growth plan, the evaluator's decision shall be final.
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7 **APPROVED: 04/06/2015**
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